AN

ORDINANCE

OF THE

Lords and Commons

Assembled in

PARLIAMENT,

For Execution of

Martiall Law,

According to the meaning of this Ordinance, to continue for the space of four Moneths from the date hereof.

Together with the Names of such Commissioners as are appointed for the Execution thereof.

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16. August, 1644.

ORdered by the Commons in Parliament, That this Ordinance be forthwith printed & published:

Henry Elsyng, Cler. Parl. D. Com.

Printed for *Edward Husbands*, August 17.

August 16. 1644.

An Ordinance of the Lords and Commons assembled in Parliament, for execution of Martiall Law, according to the meaning of the Ordinance, to continue for the space of four Moneths from the date hereof.

BE it Ordained by the Lords and Commons assembled in Parliament, and by authority of the same, That Robert Earl of Essex, Captain Generall of the Forces raised by the authority of Parliament, Algernon Earl of Northumberland, Henry Earl of Kent, Philip Earl of Pembroke, William Earl of Salisbury, Oliver Earl of Bullingbrook, Edward Earl of Manchester, Basil Earl of Denbigh, William Lord Viscount Say and Seale, Philip Lord Wharton, Dudley Lord North, William Lord Grey of Werk, John Lord Roberts, Philip Lord Lisle, Sir William Waller, Sir Arthur Haslerig, Sir John Corbet, Sir

John Bamfield, Sir Henry Heyman, Colonell Alexander Popham, Col: Stapeley, Col: Whitehead, Col: Morley, Col: Purefoy, Col: Ven, Edward Bainton Esq; Col: William Jephson, Col: Alexander Rigby, Tho: Arundell Esq; Sergeant Major Generall Skippon, Sir Nathaniel Brent, Doctor Tho: Eden, John Bradshaw Esq; William Steele Esq; Sir James Harrington, Col: Brown, Col: West, Col: Charls Fleetwood, Col: William Strode, Col: Turner, Col: Manwaring, Col: Whitchcote, Col: Pyndar, Lieutenant Col: Welden, Lieutenant Col: Underwood, Lieutenant Col: Wilson, Major Salloway, Major Titchborn, Col: Humfrey, Col: Player, Col: Prince, Col: Harsnet, Major Camfield, William Molins, Col: Owen, Lieutenant Col: Web, Lieutenant Col: Bradley, or any Twelve or more of them, whereof such of the Members of either House of Parliament, as have Commission and commands in any of the Armies or Garrisons; and Sir William Waller, Sir Arthur Haslerig, Sir John Corbet, Sir Henry Heyman, Col. Alexander Rigby, Col: William Jephson, Col: Ven, Sir Nathaniel Brent, alwayes to be Three, shall be Commissioners, and shall have

have full power and authority to hear and determine all such causes as belong to Military cognizance, according to the Articles in this present Ordinance mentioned; And to proceed to the Tryall, Condemnation, and Execution of all Offenders against the said Articles, and to inflict upon the Offenders such punishment, either by Death or otherwise corporally, as the said Commissioners or the major part of them then present shall judge to appertain to Justice, according to the nature of the Offence, and Articles hereinsuing:

I. NO persons whatsoever shall from henceforth voluntarily repair or go from the Cities of *London* and *Westminster*, or from any other parts of the kingdom, under the power of the Parliament, unto the person of the King or Queen, or Lords of the Counsell abiding with him or her, or to any Commander or Officer of the Kings Army, or shall give or hold any Intelligence by Letters, Messages or otherwise with any in Arms against the Parliament, without consent of both Houses of Parliament, or the Committee appointed by Ordinance of Parliament for managing the war, the Lord Generall of the forces raised by the two Houses, or from the respective Officers that shall Command in chief any of the said forces, upon paine of death, or other Corporall punishment at discretion.

II. Whosoever

II. Whosoever hath or shall Plot, Contrive, or endeavour the betraying, surrendring, or yielding up to the Enemy, or hath or shall contrary to the rules of War, surrender, yield up or betray any Cities, Townes, Forts, Magazines, or forces which now are, or hereafter shall be under the power of the Parliament, shall be punished with death.

III. No Person or Persons whatsoever not under the power of the Enemy, shall voluntarily relieve any Person being in Armes against the Parliament, knowing him to have been so in Armes, with any money, victualls, or Ammuniti-on, upon paine of death or other corporall punishment at discretion, or shall voluntarily and knowingly harbour or receive any being in Armes as aforesaid, upon paine of punish-ment at discretion.

IIII. No Officer or Souldier shall make any mutinous as-semblies, or be assisting thereunto upon paine of death.

V. No Guardian, or Officer of any Prison, shall wilfully suffer any Prisoner of War to escape under paine of death, or negligently under paine of imprisonment, and further punish-ment at discretion.

VI. Whosoever shall voluntarily take up Armes against the Parliament, having taken the Nationall Covenant, shall dye without mercy.

VII. Whatsoever Officer, or Commander, hath or shall desert their trust, and adheare to the enemy, shall dye with-out mercy.

And

And it is hereby further Ordained by the authority aforesaid, that the said Commissioners, or any twelve or more of them, whereof such of the Members of either House of Parliament as have Commissions, and commands in any of the Armies or Garrisons, and sir William Waller, sir Arther Haslerig, sir Iohn Corbet, sir Henry Heyman, Colonell Alexander Rigby, Col. William Iephson, Col. Venn, sir Nathaniell Brent, allwaies to be three, shall be authorized from time to time so often as they shall thinke fit, or shall be ordered thereunto by both or either House of Parliament, to sit in some convenient place within the cities of London and Westminster, or Lines of Communication, and to appoint a Judge Advocate, a Provost Martiall, and all other Officers needfull. And it is hereby further Ordained, that all Maiors, Sheriffs, Justices of Peace, Constables, Bailiffes, and other Officers shall be aiding and assisting to the said Commissioners in the execution of the Premisses; and that the said Commissioners, and every of them, and all and every other Person and Persons, that shall be aiding and assisting

ſtring to them in the execution of the Premiſſes, ſhall be ſaved harmleſſe and indempnified for what they ſhal do therein by authority of Parliament, provided nevertheleſſe that no Member of either Houſes of Parliament, or Aſſiſtants of the houſe of Peeres ſhall be queſtioned, or tryed before the Commiſſioners appointed by vertue of this preſent Ordinance, Without aſſent and leave firſt had and obtained of both Houſes of Parliament.

And be it alſo provided, that this preſent Ordinance, and the authority hereby given, and appointed to the Perſons hereby nominated, ſhall endure and have continuance for four moneths from the making hereof.

Provided that this Ordinance for any offence hereafter to be committed ſhall not take place, or be of force untill eight daies after the publication hereof, any thing in this Ordinance to the contrary notwithſtanding.

FINIS.